



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689
OFFICE OF THE PLANNING BOARD

WEDNESDAY —MAY 24, 2006 - 7:30 PM

TENTATIVE AGENDA

CALL TO ORDER

ROLL CALL

ANNUAL MOBILE HOME PARK REVIEW:

- a. CINTRO MOBILE HOME PARK – ANNUAL REVIEW

REGULAR ITEMS:

1. **NEW WINDSOR REALTY GROUP – SITE PLAN (06-18) WINDSOR HIGHWAY (SHAW)**
Proposed new construction of 21,000 s.f. retail/office building
2. **TOM YU SITE PLAN AMENDMENT (06-16) RT. 32 VAILS GATE (DE KAY)**
Proposed change of retail establishment to eating establishment with 15 seats.
3. **HUDSON VALLEY FEDERAL CREDIT UNION (06-04) RT. 300 (CHAZEN)**
Proposed new construction of 6,781 s.f. building for bank.
4. **HUDSON VALLEY FEDERAL CREDIT UNION (06-19) RT. 32 & WILLOW LANE (CHAZEN)** Proposed new construction of 6,122 s.f. building for bank.
5. **NEW WINDSOR BUSINESS PARK SITE PLAN AMENDMENT (06-20) – RT. 300 (DEWKETT)** Proposed 6,106 s.f. office addition to existing building.

DISCUSSION

ADJOURNMENT

(NEXT MEETING – JUNE 14, 2006)

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TOWN OF NEW WINDSOR

PLANNING BOARD

MAY 24, 2006

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN
NEIL SCHLESINGER
HENRY VAN LEEUWEN
DANIEL GALLAGHER

ALSO PRESENT: BRENDAN MASTERSON
PLANNING BOARD ENGINEER

MYRA MASON
PLANNING BOARD SECRETARY

ANDREW KRIEGER, ESQ.
PLANNING BOARD ATTORNEY

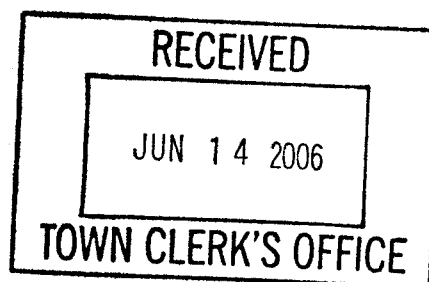
ABSENT: HOWARD BROWN
JOSEPH MINUTA

MICHAEL BABCOCK
BUILDING INSPECTOR

REGULAR_MEETING

MR. ARGENIO: I'd like to call to order the May 24, 2006 meeting of the New Windsor Planning Board. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)



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MR. ARGENIO: We have a quorum, Howard Brown will not be here tonight but we do have a quorum so we're going to get started, Mike is not with us tonight, he's ill, Mark Edsall is not with us, his daughter's graduating from college and he's on his way down so Brendan Masterson's with us from M. H. & E., Franny's with us, Andy is here, we have a quorum of four people, if Joe Minuta comes in, he's absent right now, if he comes in, Franny would you make a note in the minutes. Having said that, we're going to get right to business here.

ANNUAL_MOBILE_HOME_PARK_REVIEW

CINTRON_MOBILE_HOME_PARK

MR. ARGENIO: Cintron Mobile Home Park annual review. Somebody here to represent this?

Mr. Cintron appeared before the board for this proposal.

MR. ARGENIO: Typically, I would look to Mike and ask if there are any problems at the mobile home park, so I will look to you from the fire inspector, Myra?

MS. MASON: I don't think there were any problems here at all, everything looks good.

MR. ARGENIO: Do you have a check for \$140?

MR. CINTRON: I have it now.

MR. ARGENIO: Are you aware of any problems Mr. Cintron?

MR. CINTRON: I don't know if it's in your area but I'd love to see water meters to the tenants.

MR. ARGENIO: I don't think that's in our area.

MS. MASON: Call the water department.

MR. ARGENIO: That being said, if there's nothing from the board members, I'll accept a motion we grant them a one year extension.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that

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the New Windsor Planning Board grant the Cintron Mobile Home Park a one year extension. If there's no further discussion, I'll have a roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

REGULAR_ITEMS:

NEW_WINDSOR_REALTY_GROUP_-_SITE_PLAN_(06-18)

MR. ARGENIO: New Windsor Realty Group site plan.

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. ARGENIO: This application proposes a 21,000 square foot retail office building on the 3.6 plus acre property on the east side of Route 32. The plan was reviewed on a concept basis only. For those of you who don't know this is right next to Guardian, Mr. Shaw, is that correct?

MR. SHAW: Yes, it is, it's between the storage facility and Duffer's Hideaway.

MR. ARGENIO: Mr. Shaw, the floor's yours, this is the first time we're seeing this folks, go ahead, Greg.

MR. SCHLESINGER: Is there anything there now? Is there a structure there now?

MR. VAN LEEUWEN: I think there's a house there.

MR. SHAW: Correct, there's a house there.

MR. ARGENIO: It's buried in the weeds.

MR. VAN LEEUWEN: About 300 feet, 400 feet off the road.

MR. SHAW: Thank you, Mr. Chairman. As you mentioned, we're proposing a 21,000 square foot building on a 3.65 acre parcel of land on the east side of Windsor Highway. As I just mentioned, the parcel is situated between Guardian Self Storage and Duffer's Hideaway, it's across the street from St. Joseph's School. The

parcel is situated in the NC zone for the first 200 feet of property from Windsor Highway and the balance of the property is C zone. We're providing a dual parking area, a parking area in the front and then as you drive to the rear of the property to the lower level you would access the property from the rear and again that parking would be associated with that level. I present before you a rough architectural elevation of the building that's the view that you're going to see from Windsor Highway from the lower level two elevations would be exposed but from Windsor Highway there would just be one level exposed. With respect to the parking for the project we're obligated to provide one space for everyone 150 square feet of area we're required to provide 140 spaces and that's exactly the number that we're providing on the site 140 spaces. With respect to the utilities for the project we'll be tying into the Town's sewer system on the opposite side of the street, we'll have to pump to it to an existing force main which presently services the one residence located in the center of the property. We would also have to cross Windsor Highway with a water main because with the size of the building we're going to have to sprinkler it so we'll be doing that also.

MR. ARGENIO: Greg, the force main are you going to be able to tie into what's there or you're not going to do an open cut on 32?

MR. SHAW: No, proposing to utilize the force main presently there. The water main hopefully will be a bullet similar to what they did for Guardian, we're hoping that that works for us also as opposed to you're not going to get an open cut that's for sure and if it has to be a jacking operation that's just extremely expensive so hopefully it's just what they call a bullet underneath the highway and that will be the end of it. And finally the storm drainage system we're disturbing over one acre so therefore we have to comply with the new DEC storm water discharge regulations,

you'll have an on-site collection system which will bring the storm water to the rear of the property, there will be a diversion manhole adjacent to the sand filter which will take the water quality volume, distribute it into the sand fill to where it will be treated, filtered and the outflow from that is into the storm water detention basin, on flows greater than that of the water quality volume which I believe is 1.2 inches of rain, not only will you be having the storm water filtered but the excess storm water above that volume will go directly into the storm water detention basin and that basin has been sized for a storm that has a potential frequency of once every one hundred years, finally incorporated into the basin is a rip-rap emergency spillway. So, Mr. Chairman, this is my first presentation of this project before the board cause we're on a county highway this is going to have to be referred to the Orange County Department of Planning and what I would ask is that tonight is that you also circulate for lead agency and maybe that's the most amount of action that we can take tonight other than discussing it in a little detail.

MR. ARGENIO: You're very attentive typically to this board's needs so I'm going to dispense with comments along the lines of make sure the split rail fence has chain link on it, dispense with the garbage enclosure being in kind with the building, obviously, make sure it's high enough, Brendan, I'm going to ask you to comment just a bit on item number 2 relative to the parking on the site, can you just shed a little light for the benefit of the board?

MR. MASTERSON: In discussions with Mark when we looked all the plan together he noted that all the parking requirements are being met, however, being that the building is going to stand alone as two separate occupancies on the two levels there's an imbalance between the two lots, Mark is suggesting that the parking be better balanced or perhaps a stairwell

connect the two levels to afford access as need be.

MR. ARGENIO: How do you know there's not a stairwell now inside in the architectural plans?

MR. MASTERSON: We have not reviewed any architectural plans.

MR. ARGENIO: Can you check on that?

MR. SHAW: That's a very good point, you know, we can put a walkway in there, the reason I didn't indicate it on the plans is cause the last time the discussion I had with the architect he was proposing to put an elevator in the building, I can't guarantee that before the board but what I can tell you if there's not going to be an elevator provided that we'll have to interconnect the two parking areas and unfortunately, there's no way to redesign the site to take more parking from here, put into here.

MR. ARGENIO: You do understand the concern and it will be some kind of internal method to go up and down or external method to go up and down that doesn't involve walking around that whole loop where there's no pedestrian access anyway.

MR. SHAW: Correct.

MR. ARGENIO: Do you have any problem on the north side of the site with the setback?

MR. SHAW: No, we have a 40 yard setback in an NC zone.

MR. ARGENIO: So you're okay with that?

MR. SHAW: Side yard one is 15 feet.

MR. VAN LEEUWEN: That house is going to go?

MR. SHAW: Yes.

MR. VAN LEEUWEN: Who is the owner?

MR. SHAW: New Windsor Realty LLC.

MR. ARGENIO: I'm going to, I'm quite sure Greg and I think that you have a flavor for this too because you've been here quite a few times since the first of the year, Joe Minuta is going to ask for some type of elevation for the front of the building.

MR. SHAW: We have an architect on board, that won't be a problem.

MR. ARGENIO: If you can just keep that in mind I don't like it when he chases an applicant late in the game because I think it's unfair but certainly we're early enough where I'm sure he's going to be looking to see, I'm sure he's going to be putting his eye to it as well.

MR. SHAW: That's fine.

MR. VAN LEEUWEN: How about a flag pole?

MR. SHAW: With a flag?

MR. ARGENIO: As Mike Lucas used to say.

MR. VAN LEEUWEN: He took it from me, that was my pet peeve for years and years.

MR. SHAW: Actually, in the middle of one of these planters would be fine.

MR. SCHLESINGER: I have a question, Greg, actually two questions, the easy one is see where you have two lights, why do you have that abutment into the parking?

MR. SHAW: Just to break up the parking lot a little bit and it's always--

MR. SCHLESINGER: It's a pain in the neck when you plow.

MR. SHAW: Some boards like to have the islands for plantings, some people like to have the plantings to break up the parking to protect the light fixtures and the owner wants absolutely nothing so he can go in with a snow plow and go right in there.

MR. ARGENIO: I like the island for both of those reasons.

MR. VAN LEEUWEN: I have no problem with the island.

MR. SCHLESINGER: If I'm plowing, I hate those. My other question is I see the dumpster in the back of the building and that--

MR. VAN LEEUWEN: Back of the parking lot.

MR. SCHLESINGER: Back of the parking lot and what access do the people in the front of the building have to the dumpster?

MR. SHAW: There's another one for the upper level.

MR. SCHLESINGER: Okay.

MR. ARGENIO: Let's, as I said, this is the first time we've seen this, we certainly will see it quite a few more times, I'm going to try to get a few procedural things done, item number 3, I'll certainly, I'll accept a motion to authorize the issuance of a lead agency coordination letter.

MR. VAN LEEUWEN: So moved.

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MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board issue a lead agency coordination letter for this project to begin the SEQRA review process. No further discussion, roll call.

ROLL CALL

MR. SCHLESINGER AYE
MR. GALLAGHER AYE
MR. VAN LEEUWEN AYE
MR. ARGENIO AYE

MR. ARGENIO: This has to be referred to the County, Greg, I'm sure you're aware of that.

MR. SHAW: Yes.

MR. ARGENIO: Myra, you prepared the letter and that's--

MS. MASON: Yes.

MR. ARGENIO: We don't need that in the form of a motion?

MR. KRIEGER: No.

MR. ARGENIO: You have disapproval from the fire department.

MR. SHAW: Yes, I'll take care of that.

MR. ARGENIO: Certainly we need a nod from them and Myra has also prepared a letter of transmittal to the DOT cause they're certainly going to review this project. Greg, other than that, I don't know how much further we can go.

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MR. SHAW: I don't think you can.

MR. ARGENIO: It's a high visibility place and be, just be, keep this in mind, tell your applicants that the Guardian folks, was that one of yours?

MR. SHAW: No.

MR. ARGENIO: They did a fine job on 32, in my opinion, a fine job, we're looking for something similar.

MR. SCHLESINGER: There was a problem with Guardian with the retaining wall on the south side of the building, I don't know whether you have an issue on that?

MR. ARGENIO: They cleaned it up nice.

TOM_YU_SITE_PLAN_AMENDMENT_(06-16)

Mr. Richard DeKay and Mr. Tom Yu appeared before the board for this proposal.

MR. ARGENIO: This application proposes a change in use from a retail operation to a mixed retail with eating establishment. The plan was reviewed on a concept basis prior to this evening. What's your name?

MR. DEKAY: I'm Richard DeKay, land surveyor and Mr. Yu.

MR. ARGENIO: This is the near Leonardo's on Five Corners, I think the building is actually the cell phone store, is that correct?

MR. YU: Yeah, that's right.

MR. ARGENIO: Go ahead, Mr. DeKay for the record.

MR. DEKAY: When we were here the last time we discussed various notes that should be added to the plan, the one story concrete block building, we added the warehouse use of this building to remain the same, we also talked about the number of seats that were being proposed and we reduced the number of seats to 15 seats only.

MR. ARGENIO: At the request of this board.

MR. DEKAY: That's correct and now then what we did is we worked out the parking with Mark at the workshop to make sure that we had the right size parking areas and also the 25 feet that's required between the end of the parking to the curb line or the end of the pavement so that's all complied with and we have a total of 6 parking spots. Can you think of anything else that I should say?

MR. YU: No, that's it.

MR. ARGENIO: We're going to talk about this for a minute, if something comes to mind certainly chime in and you'll be recognized.

MR. VAN LEEUWEN: How many parking places do you have all total?

MR. DEKAY: We have 6 altogether.

MR. VAN LEEUWEN: What's going to be in the building?

MR. ARGENIO: You mean the warehouse, Henry?

MR. VAN LEEUWEN: Yeah because you've got two story frame building here.

MR. DEKAY: Well, he's renting the frame building, the one story.

MR. VAN LEEUWEN: That's the old bar.

MR. SCHLESINGER: Our concern is that warehouse use of this building is to remain the same.

MR. DEKAY: That's correct.

MR. SCHLESINGER: What's the same, what is it being used for?

MR. DEKAY: As a warehouse.

MR. SCHLESINGER: I don't know whether the warehouse and the use for the warehouse needs required parking spaces.

MR. MASTERSON: That I would have to verify, the existing lot is a non-conforming, pre-existing use, they reduced the table size within their establishment

to get down from the 8 to the 5 to meet what they can get in there but it is very important that the use of the warehouse remain as such cause any other use aside from the warehouse will have impacts to the required parking.

MR. ARGENIO: Neil, this is an application that if you, we can certainly we'll have the opportunity to discuss this a bit with Mike or Mark at further length or Andy because there's a couple of things that you folks need to do, Mr. DeKay and Mr. Yu, and I'm going to throw this out to the board, I'm going to ask this question about item number 3, I want to get a little feedback from my other members here. How do you feel about item number 3? I'll read it for the benefit of the board, the board should discuss the need for referral to the Department of Transportation with specific purpose being turning movement restrictions from the site, parenthetically left turns from the site onto Route 32 although currently not prohibited would be extremely hazardous. Neil, what are your thoughts on that?

MR. SCHLESINGER: You know, I haven't really gone out and examined it, I know it's a rough corner, it's a rough corner, I don't know, we named the person who owns the building in the back, I don't know what property he actually owns. I know there's a gas station on the corner, I think he may even own property that goes around the gas station. I also know that Mr. Yu is a very hard working man and if there's any way we can help him or we could, you know, direct him to make this work it would be great but it's a rough project.

MR. ARGENIO: I think everybody here, I don't want to speak for everybody here cause I'm only one member, I'm only one vote, but I think at the last meeting we kind of indicated the fact that we certainly do want to see this thing go but it needs to go within the bounds of the law and within the parameters set forth by the Town of New Windsor so Mr. Yu we're not being

obstructionists but because of this application's location, sheer geography based on it being close to 32 by law we have to refer to the County, okay, so there's no way we cannot legally give you an approval tonight, we have to refer this to the County of Orange which we'll do and wait for their response. But in the meantime, if there's some other things that we can address and get some of the other board members' concerns allayed we should use that time wisely and do that.

MR. SCHLESINGER: One other thing is that I think that Mr. Yu needs some sort of document from the owner saying that he has the right to use that parking area.

MR. ARGENIO: Does the same owner own both buildings?

MR. YU: Yes.

MR. VAN LEEUWEN: How about the old house?

MR. SCHLESINGER: Doesn't matter.

MR. VAN LEEUWEN: How about the old house, who owns that?

MR. YU: Mr. Leonardo.

MR. ARGENIO: Same person.

MR. VANE LEUWEN: The florist shop?

MR. YU: Actually, the flower shop is also belongs to Mr. Leonardo too.

MR. ARGENIO: Neil, the concern and I think that we reviewed this at the meeting when you were absent, the big concern is as long as the warehouse continues to remain a warehouse and does not have a demand for parking, the parking works. That's the purpose of the

note being added on the plan, but the minute they turn that warehouse into something else and they create a need for parking then we have the problem. But getting back to my original question, Neil, feedback on number 3 please?

MR. SCHLESINGER: Yes.

MR. GALLAGHER: I agree also.

MR. VAN LEEUWEN: I agree.

MR. ARGENIO: I think so too, what we're agreeing to we're going to send this to the DOT to get their feedback on it and certainly our intent is not to send you there to get the entire intersection reconstructed, we're asking them if they want for safety purposes a left turn restricted out onto 32. Am I interpreting that comment correctly?

MR. MASTERSON: Correct.

MR. ARGENIO: Reading the--

MR. MASTERSON: Due to the volume that's in the area and the cue lengths and lack of--

MR. VAN LEEUWEN: Can I ask a question? What are you, what's going to go into this warehouse because that you haven't answered that yet?

MR. SCHLESINGER: It's going to stay a warehouse.

MR. VAN LEEUWEN: What kind of a warehouse is it going to be is what I'm asking?

MR. YU: Right now he do use for, he do actual many things in there more than 50 years but he does cheese manufacturing actually but he doesn't do any retail, he supplies to only supermarkets which is West Point or

like Federal things he supplies to there.

MR. ARGENIO: He has no retail?

MR. YU: He's working 9 to 12 three hours five days a week.

MR. ARGENIO: Item number 4 is some things your architect needs to clean up on the plans, I don't think there's any brain surgery there. Sir, do you have the comments?

MR. DEKAY: Well, I'd just like to make one comment here that my client, Mr. Yu, had a bonafied occupancy permit and use for the building for your prior business, correct?

MR. YU: Correct.

MR. DEKAY: And it's the same, everything is exactly the same only we're just changing the use from standing at a counter to sitting down and now all of this review it looks like you're backtracking when it has already been approved. How long were you there, I mean, I don't think it's fair to make this man go through what he's going through, he's paying rent on an empty building, I'll grant you--

MR. VAN LEEUWEN: He doesn't own the building?

MR. DEKAY: No, Leonardo owns the building, this man pays rent. I'm just saying you're backtracking and you're making this guy the fall guy for all the so-called problems that are coming up now which were either addressed by a prior planning board and they approved it.

MR. ARGENIO: Mr. DeKay, things are dynamic, that intersection is dynamic, everything is dynamic and things change, traffic patterns change and traffic

volumes change, since the last time any application was here for this parcel we now have a Hannaford's down the road which certainly has an impact on the intersection and this planning board, if there's a change in use of the property and if I misspeak, correct me, has the legal obligation and legal right to review the new use of the property and that's all we're doing, we're trying to keep this as simple as we can. The law requires that we send this to Orange County Planning, we're required by law to do it, it's not like we're saying Mr. Yu, we want to do this.

MR. DEKAY: You're talking about DOT?

MR. ARGENIO: Because the use is being changed we're obligated to send it to Orange County Planning, prudence would dictate it because the area's so busy and Five Corners has become busier over the past five or seven years, whatever, you started with the cell phone place or whoever started with the cell phone place, we have an obligation to see to the safety of the motoring public, the people going in and out of there, we're going to send it to DOT, I'm sorry you feel like you're the fall guy but you're not the fall guy but it's a change in use and there's things that we have to do.

MR. YU: I have to say one thing, even the last time I talked to you maybe 18, even the 3 or 6, it doesn't matter, I'm not trying to put in a Home Depot, I mean, actually we have at this moment Mr. Leonardo he approves it, he wouldn't sign it, he say okay, come, I will help you whatever you can put, it used to be a bar and restaurant in there many years just since then I opened the game store.

MR. ARGENIO: Mr. Yu, I think this is better.

MR. YU: Definitely so I try to, he try to help me so okay, let me approach the Town, did 6 parking spaces,

he say he sign it and I didn't bring it actually he signed about last week.

MR. ARGENIO: We're not giving you a bad time about that, I don't want to have a debate, I really don't because I think it's a better use, I think everybody on the board thinks it's a better use, we'd rather have that there than the bar and the cell phone store is fine but there's things we have to do and we're going to do them. We don't have a choice. You're speaking to me like it's subjective on our behalf and it's not. I don't want to have a debate but I do want to go through this and review it the way we're obligated to review it. There's some minor clean-up things for handicapped stall which are no big deal, item 5 I'll accept a motion that we declare ourselves lead agency.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Tom Yu site plan amendment on Route 32. If there's no further discussion from the board members, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Get a little feedback on number 6.

MR. VAN LEEUWEN: I don't think we have to go through a public hearing.

MR. GALLAGHER: I don't think it's necessary.

MR. VAN LEEUWEN: I think he's been through enough.

MR. SCHLESINGER: No, same owner, same area, you know.

MR. ARGENIO: I agree we should, I'll accept a motion to that affect.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing on the Tom Yu site plan amendment per its discretionary judgment. If there's no further discussion from the board members, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. VAN LEEUWEN: We just saved you two months there.

MR. ARGENIO: Try not to look at the glass as half empty, it's half full, we have people here postured to see this happen, but there's things that we have to do. Myra, we're going to refer this to Orange County Planning, yes?

MS. MASON: Yes.

MR. ARGENIO: Have you prepared the appropriate information?

MS. MASON: Yes.

MR. ARGENIO: Okay, so let's do that and we should, we're going to get some feedback from DOT, some non-binding feedback so we can take a look at it and Myra, the fire inspector has seen this?

MS. MASON: Yes.

MR. ARGENIO: What say he on this?

MS. MASON: He did approve this.

MR. ARGENIO: He approved this so there's another step in the right direction. Approved but please note the following comments, exit signs are needed, emergency lighting needed, smoke detectors needed, alarm system needed, I don't think there's any brain surgery there, I'm surprised he approved it, it's a tight site but he approved it so and this is a good thing for Mr. Yu.

MR. VAN LEEUWEN: Can I say something? Did you have an attorney when you signed a lease for this property?

MR. YU: Yes.

MR. VAN LEEUWEN: You did? Well, he didn't do right by you, I don't know who he is and I really don't care but that should have been taken of when the planning board approved it, he should know that this has to go through the Planning Board and this has to go to the County Board.

MR. SCHLESINGER: He's been there for a while, he had, give you an update, he has a store that's operating there now selling cell phones and games, he's been there for what three, four years so he just wants to change the use now so he thought he could just do it and change the parking and be done with it.

MR. YU: I was there since 1992, actually the flower store same landlord.

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MR. ARGENIO: Thank you.

HUDSON_VALLEY_FEDERAL_CREDIT_UNION_(06-04)

Mr. Roger Keating and Mr. Scott Bridey appeared before the board for this proposal.

MR. ARGENIO: This application proposes construction of a new banking facility adjacent to the existing bank off Union Avenue. The application was previously reviewed at the 8 February, 2006 and 22 March, 2006 planning board meetings. You're here tonight so give us an update on where you're at and then we'll take a look at this.

MR. KEATING: Mr. Chairman, members of the board, Roger Keating I'm with Chazen Companies, I'm here tonight on behalf of the Hudson Valley Federal Credit Union to represent the proposed updates to the plan at the Wal-Mart Plaza Shopping Center proposed credit union branch. Previously before this board we had presented the project and the board had some comments, we have worked those comments out with Mark through the workshops and review and we'll just go through a quick summary of the overall plan. Presently proposing a new 6,700 square foot approximately branch with a detached drive-up island and it's the intention of the credit union to keep the existing credit union branch open while the construction of this second branch is going on. The applicant's proposing 73 parking spaces with an area reserved for employee parking.

MR. ARGENIO: What's required?

MR. KEATING: Required per zoning on the square footage of the building would be 27 spaces, they would like to see additional parking above and beyond that because of the amount of traffic.

MR. ARGENIO: That's what they need.

MR. KEATING: Better use and the amount of traffic that

particular branch sees. Site will be serviced by both public water and sewer and again as we talked about last time service stubs were provided to this existing parcel as part of the Wal-Mart expansion project for both water and sewer and the credit union will be utilizing those connections and in addition storm water will be facilitated in that same manner in that connection points were provided as part of the Wal-Mart expansion project and we had done an analysis to ensure that the conveyance of those systems was adequate. The primary concerns that we've had with this board was the two access points to the property and circulation, previously and as we presented last time the first access point is at the existing entrance to the Wal-Mart Shopping Center Plaza, which was a full service access. As it stands right now, we have revised that as per your request and as we discussed last time at the last meeting this will be now one way entrance only eliminating the exit movement from there and the potential for that difficult movement. And in addition comments raised from the fire department last time in regard to the fire lanes we had shifted the second access point slightly to the north to help facilitate the fire truck movements on the site, we had a workshop with Mark and the fire department and we had provided two fire lanes on two sides of the buildings and based upon the workshop, it's my understanding that the fire lane issue has gone away, that we satisfied his comments with respect to the fire lanes. And I just received comments tonight regarding the newest round of comments regarding the fire district and I can offer some insight onto those comments. The building is sprinklered because of the square footage size and there are full sets of architectural plans that are associated with this building, I have a copy of those here tonight.

MR. ARGENIO: Are they in color?

MR. KEATING: They are not in color right now but for

the floor plan perspective we have the mechanicals, mechanical plans that show the locations of the hydrants.

MR. ARGENIO: Let me cut you off as far as I'm concerned and I think the other board members will agree with me if the fire marshal's satisfied we're satisfied, correct, guys?

MR. VAN LEEUWEN: Correct.

MR. ARGENIO: So take care with the fire inspector and if he's good, I'm good.

MR. KEATING: Okay, that's fine, we'll just supply that plan to the fire inspector.

MR. ARGENIO: He says it's okay, it's good with us.

MR. VAN LEEUWEN: Can you sneak a flag pole?

MR. KEATING: Yes, we have a flag pole located in the center, basically what we've done is advanced the plans from there to more of a final set of plans including the detail sheets and the remainders of the site plan and as such asking the board to just consider to advance this project through the approval process and if you have any additional questions we'd be more than happy to address those.

MR. ARGENIO: I have a couple things I want to bring to your attention and then I want to hear from the other members here on some other things. Do you have Mark's comments?

MR. KEATING: No, I do not.

MR. ARGENIO: I'll go ahead and read this to you from page 2 of Mark's comments, the overall Wal-Mart site received landscape review from the Town of Newburgh's

landscape architectural consultant for consistency I suggest we forward this plan to that consultant I couldn't agree more, Karen Ahrant (phonetic) is a person that does things right and I think that to make this thing flow nice that whole package should look similar. Anybody take exception to that?

MR. VAN LEEUWEN: No, if it's going to better the site, I'll go for it.

MR. ARGENIO: She has a certain flavor and a way of doing things and that should carry from Wal-Mart into this site because they're almost one site.

MR. VAN LEEUWEN: They're neighbors.

MR. ARGENIO: I'm going to read you the next comment, part of the landscaping review should be verification that the plantings in front of the site do not obstruct sight lines from the main Wal-Mart roadway, so when you're speaking with her, you want to address that. You have some comments here, sir, I mean, there's some things you need to clean up, I don't think any of it is in and amongst itself major but I think everything--

MR. VAN LEEUWEN: Major.

MR. ARGENIO: He always starts my sentences. But there's a lot, there's some things to do here, there's catch basin issues, there's striping issues, taken together, they do amount to something but any single thing does not really stand out any further than the next thing. Neil, do you take exception to any of that or Dan?

MR. SCHLESINGER: No, I'm on the same page.

MR. KEATING: Just going through these quickly doesn't appear that there's any major design.

MR. ARGENIO: Now, Neil, we talked about realigning that entrance, that's what we were looking for, correct, what he has drawn there.

MR. SCHLESINGER: Right, we wanted to get it off from the corner over there.

MR. ARGENIO: The question I want to ask you and you need to look at this, that exit into the Wal-Mart driveway the two way, the in and out that cuing that's going to start at the stop bar that has an arrow pointing to it that's indicated as 5 SD-1-B, do you see that stop bar there, point to that for me, when that car cues up there his back end is not in the lane, is it? You better check that.

MR. KEATING: No, and the stop bar should be located closer to the lane.

MR. ARGENIO: Make sure that's not a problem because that will jam up that other intersection there.

MR. KEATING: Just should be noted this along that access point I failed to point that out in my brief overview is that we do have that additional turn lane to assist with cuing along that entrance.

MR. ARGENIO: I'm worried about the cuing back into the parking lot.

MR. KEATING: Understood.

MR. VAN LEEUWEN: What's the distance between the property and the exit actually?

MR. ARGENIO: What's the scale there, 20, probably 30 feet.

MR. KEATING: It's approximately 30 feet or so, there's enough to cue a car at that entranceway.

MR. ARGENIO: The planning board may wish to assume position of lead agency.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board take lead agency under the SEQRA review process for the Hudson Valley Credit Union site plan. No further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: This project needs to go to Orange County, Myra, ready to do that?

MS. MASON: Yes.

MR. ARGENIO: And you do have to do some things with the fire inspector.

MR. KEATING: Yes, we should have those comments addressed as of right now.

MR. ARGENIO: Did I get some feedback on item number 5 which asks about a public hearing? I have a certain opinion on that.

MR. VAN LEEUWEN: I don't really think that's necessary.

MR. ARGENIO: Neil, what do you think?

MR. SCHLESINGER: Yeah, I don't think it's necessary.

MR. GALLAGHER: Yeah, I don't think it's affecting too many people.

MR. ARGENIO: I agree, I happen to know because I do talk to the Town of Newburgh Chairman that in the overall Wal-Mart review this was taken into consideration, so I don't think it's necessary on top of which there's no residential around here anyway, certainly the folks at Wal-Mart are well keyed into this work here. Neil or Dan, did you have anything else that you wanted to comment on? I think we've taken care of a lot of things that we as a board--

MR. SCHLESINGER: No, I think it's, I mean, I think it's a vast improvement, I'm not saying it's a perfect design but I think it's a vast improvement.

MR. VAN LEEUWEN: No problems.

MR. ARGENIO: You might want to consider when you come here again to bring a color front elevation that's a good view, it may be something bigger than a match box, I don't want to see it but Joe Minuta is going to want to see it.

MR. ARGENIO: I'll have a motion that we waive the public hearing.

MR. SCHLESINGER: So moved.

MR. VAN LEEUWEN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor waive the public hearing on the Hudson Valley Federal Credit Union. If there's no further discussion from the board members, roll call.

ROLL CALL

MR. SCHLESINGER AYE
MR. GALLAGHER AYE
MR. VAN LEEUWEN AYE
MR. ARGENIO AYE

MR. ARGENIO: I would strongly encourage you to take Mark's comments and take heed to them and clean them up because we certainly do not look favorably upon somebody who shows up multiple times with multiple pages of comments, take your time to do that. Right, Scott?

MR. KEATING: We'll set up another workshop, just finalize these comments and bring these back to you for the final.

MR. ARGENIO: Thank you.

HUDSON_VALLEY_FEDERAL_CREDIT_UNION_(06-19)

Mr. Roger Keating and Mr. Scott Bridey appeared before the board for this proposal.

MR. ARGENIO: Scott, are you involved in this as well?

MR. BRIDEY: Yes.

MR. ARGENIO: Application proposes a new 6,100 square foot credit union facility on the 2.3 acre parcel. The plan was reviewed on a concept basis only. For those of you who don't know where this is, this is Willow Lane 32, the old 2 C's where that fireman died quite a few years ago fighting the fire there. Go ahead.

MR. KEATING: Again, Roger Keating from the Chazen Companies here to present the proposed Hudson Valley Federal Credit Union branch at the intersection of New York State Route 32 and Willow Lane. The credit union's proposing a new branch here on the intersection parcel that's currently vacant right now, project sits on approximately 2.3 acres in size and we've had a few workshops before coming to this board with the Town's designated engineer to work through some of the concepts before it made it in front of the board here tonight for our first presentation to you. The proposed branch has been revised slightly from the plans that you have in front of you right now and that it's a slightly smaller than 6,000 square feet, the proposed branch will have three drive-up teller lanes, these will be attached to the building, the branch will also have access points to both Willow Lane and Route 32 and proposed parking for the branch site is 60 spaces which is more than what the Town's requirement is but for this type of facility with the credit union branch same thing as driving in. The project site will be serviced by public water and sewer with a proposed water connection onto Willow Lane, public sewer runs through an easement through the project site and we'll

be proposing to connect to the sewer that's within the project site. Storm water we're disturbing more than an acre of land so we're required to do, have the Phase 2 regulations as per DEC and we're proposing two storm water management areas proposing a sand filter with an overflow into a storm water management basin on the lower portion of the site, we have developed a proposed landscaping plan at this time proposing landscaping to screen the adjacent properties in and around the site and provide landscaping up in the front portions of the property as well for aesthetics. The project will also provide a landscaped wall along the drive-thru lane side portion of the property which abuts the residential side or residential properties. In addition and through the workshop process we have talked with Mark, the Town's engineer, and he's made the suggestion that we should provide some additional screening along the upper portions in and around the drive-thru lanes and we're going, we're considering doing some sort of fencing, Mark had suggested split rail options the Town has liked to see, we're currently looking at those types of options whether it be split rail fence with some sort of mesh that goes over that, I have yet to see that but we'll look into that with Mark. This building elevation I think I have provided copies but I have extras here similar to the other building in what the front building elevation will be like that you've just seen. And just to note there's existing curb cuts that were on the site from when it was the restaurant, there's a very tricky curb cut that's right at the intersection we'll be looking to close that and again move the entrances to the proposed site.

MR. ARGENIO: I see that's good, you pulled the entrances away from the Willow Lane corner which is a good thing. Go ahead.

MR. KEATING: That was the comment that Mark had asked us to address tried to get adequate separation as much

as possible from the intersection of Willow Lane. And then also you had made mention of the firefighter that had lost his life fighting the fire here, the credit union is looking into possibly incorporating some sort of monument with their flag pole.

MR. ARGENIO: You guys are smart, did somebody suggest that to you?

MR. KEATING: I think some people in the Town.

MR. ARGENIO: I was thinking exactly that, figure out something, Henry asked for a flag pole, take the flag pole with the flag pole, I want something, Shawn, does anybody remember?

MR. KEATING: Shawn McGuire.

MR. BRIDEY: Hudson Valley Credit Union Board has already given us the approval to incorporate a monument with the flag pole on the site so we'll get together with the fire department and get that information.

MR. ARGENIO: Correct, I want you to get with the fire department, start with the Vails Gate Fire Department, you find out what they want on that plaque, they'll probably want a little brass thing and his name and I want the monument there cause Scott we know about monuments, don't we? So we want--that's a good idea.

MR. KEATING: We'll be working as the project advances, we're here just on our first time with you as we get closer to the final result we'll be working with the fire department just with that, I'll just offer it up to questions to the board.

MR. ARGENIO: There's a couple things I want to say first then open it up. Number one, we'll have a public hearing on this, there's no waiving public hearing, number two, go back to your landscaping plan.

MR. VAN LEEUWEN: Pandora's Box.

MR. ARGENIO: We're going to have a public hearing, this is something where we can take the input and we can accept the input or not accept the input and they have the right to develop their building and as I have always said as did my predecessor we can't say what you can and can't but certainly can say how, take the split rail fence idea and get rid of it, we need something there that's a little bit more than a split rail fence, stockade fence or maybe somebody else has an idea, something that's a little more light insulating of a height that's enough where it will insulate the neighbors from the light pollution.

MR. KEATING: Screening alone is not landscaping alone is not we're looking for a combination of landscaping and some sort of fencing.

MR. ARGENIO: I just want, I don't want you going somewhere where you don't need to go. The next thing the gap in the landscaping that I see there, fill it in, I don't know how, fill it in, figure out how to do it, I'm not an engineer, you are, you figure out how to do it.

MR. KEATING: Actually we did refine this because of the fire district's comments. When we met at our workshop we provided that 30 foot lane on two sides for them which you'll notice there was some comments in here, this plan we have kind of already had an understanding that that comment was coming so we have revised that to provide--

MS. MASON: This is not the same plan as we have?

MR. KEATING: Not exactly because I wanted to demonstrate these fire lanes.

MR. ARGENIO: I'm okay with that just because it's so early, it's the first submission. The last thought that I want to give you is I want you to seriously think about the lighting around the ATM area because I'm quite sure that the people in the residential homes in that area they're going to be concerned about it so you should start thinking about it. With that, I will go to Neil.

MR. SCHLESINGER: I think, Jimmy, I think Jerry's hitting the nail right on the head when we have the public hearing, you know that the neighbors are going to be addressing the area as far as landscaping, lighting and separation of the property, it's an ugly corner the way it is now and, you know, I'd like to think as you've done a good job on both of your plans that you're going to make it very presentable but I think that the objections are going to come from us or from the public on how you're going to isolate your building from them. So give us as many details as possible, you don't want to have to come back again, the lighting detail, landscaping, fence, whatever it is and just do what you have to do.

MR. VAN LEEUWEN: Are you people aware I heard quite a few years ago there's restrictions on this property?

MR. KEATING: No, not aware of restrictions of what sort?

MR. VAN LEEUWEN: Look at the deed because these people here told me that there's a restriction and I believe 150 feet, I'm not sure of that because I heard it many years ago, check into it guys.

MR. SCHLESINGER: Wouldn't that be in the title?

MR. VAN LEEUWEN: It would be in the title.

MR. KEATING: I don't recall that.

MR. ARGENIO: Well placed advice from a senior member or long time member of the planning board. Danny?

MR. GALLAGHER: Hours of operation, do you know is this same hours as a bank over by Wal-Mart?

MR. BRIDEY: Yeah, their hours of operation are from 8 a.m. in the morning till I believe 6 p.m. in the evening and on Saturday they're open till 3.

MR. VAN LEEUWEN: The only thing I'm worried about is that there's some deed restrictions in here for you guys and you should look into that, that's all I got to say, it's their issue, not mine, but I want to warn you.

MR. KRIEGER: Let me add something as far as that's concerned, if there's a deed restriction this board has no legal power to alter that deed restriction whatsoever so it's not that it's going to prevent it from going forward, but it's something that you want to look into so that you're not wasting your time and money. And secondly, although that deed restriction should appear in the title report the most you would be best served to actually look at the deed to the property because if it's legally binding it's in the deed and because some title examiner didn't pick it up doesn't absolve you from the responsibility of addressing it.

MR. ARGENIO: You'll be getting an invoice in the mail from the comptroller of the Town of New Windsor for that free legal advice. Okay? Thank you. It seems to me that this plan other than Mark's comments is going, this is pretty much what you guys are talking about here certainly we're going to steer it a little bit with some of Mark's comments refining the plan to meet our needs so what I'm saying is the ATM and the drive-thru is not going to flip to the other side of

the building in a later set of plans. Fair for me to assume that?

MR. KEATING: You're correct.

MR. ARGENIO: What I'm getting at is I'd like to talk about scheduling that public hearing that we talked about but first I want to get through a few procedural things. I'll accept a motion that we authorize issuance of the lead agency coordination letter.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning board circulate lead agency coordination letter for the Hudson Valley Credit Union on Route 32. If there's no further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: You have Mark's comments, sir?

MR. KEATING: I just got those, yes.

MR. ARGENIO: We're going to need dumpster enclosure, there's comments here and he's pretty clear. You're going to have to be referred to Orange County Planning. Myra, can we take care of that?

MS. MASON: Yes.

MR. ARGENIO: Firemen have a lot to say about this so

you better get with them soon.

MR. KEATING: That's part of the revisions that we have already made to that plan.

MR. ARGENIO: When I say firemen, fire marshal, nothing to do with the memorial.

MR. KEATING: No, with the fire lanes, the entrances and that's we're in the process of addressing those comments.

MR. SCHLESINGER: Just with the dumpster neighbors aren't going to want to hear that at 6 o'clock in the morning so think about where you're going to put it.

MR. ARGENIO: This is going to have to go to the DOT. Myra hopefully will take care of that.

MS. MASON: Yes.

MR. ARGENIO: Having said those things, we have to wait to schedule the public hearing for 30 days but I don't see any reason why we can't authorize a public hearing at this point.

MR. VAN LEEUWEN: Need a motion, I will so move.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board schedule a public hearing for the Hudson Valley Federal Credit Union subsequent to the 30 days expiring on the lead agency coordination letter. If there's no further discussion from the board members, roll call.

ROLL CALL

MR. SCHLESINGER AYE

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MR. GALLAGHER AYE
MR. VAN LEEUWEN AYE
MR. ARGENIO AYE

MR. ARGENIO: Do take care of that memorial thing for the fireman, it's important to me and I think you're going to be amazed at the public hearing amount of other people it's important to. Thank you for coming in guys.

NEW_WINDSOR_BUSINESS_PARK_SITE_PLAN_AMENDMENT_(06-20)

Ms. Kathleen Dewkett appeared before the board for this proposal.

MR. ARGENIO: New Windsor Business Park site plan. Application proposes 6,160 square foot addition to the facility on Route 300. Plan was reviewed on a concept basis only, represented.

MS. DEWKETT: Here we have the proposed building of 6,100 square feet, it's going to go onto the northwestern end of the building and so therefore we also need a lot line revision. If you notice here the building's here and we also are incorporating a small courtyard, so as you walk into the building, there will actually be a courtyard. Currently, the entrance to the building is here, so we have also included additional parking and we have also included enough parking so that the entire building is up to the new standard of one per 150 square feet so that's 121 additional spaces, so that's what we have provided 121 total spaces, I'm sorry. We're disturbing less than an acre of land and so therefore we do not have to comply with the storm water SPDES permits but we do have to provide a soil erosion control plan which we have done.

MR. ARGENIO: Doublecheck that please that one acre thing just to make sure we're on the same page.

MR. MASTERSON: That's correct.

MR. ARGENIO: You checked it?

MR. MASTERSON: Yes.

MR. ARGENIO: That was quick, wasn't it?

MS. DEWKETT: We talked about it at the workshop too so and we do have a soil and erosion control plan so I

think we fulfill all of those requirements. There's already an existing flag pole at the building so I guess we're here for final approval. Just kidding. We do have a comment letter from Mark that we just received tonight so I guess if there's any other questions that I can answer.

MR. ARGENIO: Well, I can tell you that we're not going to final because of the county unfortunately for you.

MS. DEWKETT: I understand that.

MR. ARGENIO: But I will tell you this, I have some procedural things that I'm going to go through, I personally don't have a lot to say, so I'm going to look to my right, Mr. Schlesinger and Mr. Gallagher to see if they have some feedback.

MR. SCHLESINGER: Yeah, two issues here, one we need to approve a lot line change, who owns, New York Life owns the property?

MS. DEWKETT: No, New Windsor Business Park Associates owns the property and they own both this parcel and this parcel.

MR. SCHLESINGER: Okay and how you know how there's a little trailer office.

MS. DEWKETT: The office is in this area, yes.

MR. SCHLESINGER: And between New York Life and that office there's a lot that's the area we're talking about?

MS. DEWKETT: Yes but it's not the entire amount, if you see this is the entrance to the New York, to the existing now there's also a second existing curb cut and that's this right here so we're basically just going to the second curb cut.

MR. SCHLESINGER: So procedure wise I'm not sure how we address it, they need to get an approved lot line change, right?

MR. ARGENIO: Correct.

MS. DEWKETT: And site plan amendment, yes.

MR. SCHLESINGER: Second question is the parking in the rear that's angled off that's existing parking now?

MS. DEWKETT: Yes.

MR. SCHLESINGER: That's going to stay just like that?

MS. DEWKETT: Yes, it is.

MR. ARGENIO: Dan, let me just interrupt before I go to you I hope I didn't wrongfully assume that you will be here for the information on the lot line change at some point in time?

MS. DEWKETT: It is a part of the plan set, it is in the plan set we did a combined application form but we made all the appropriate fees for both the lot line and the site plan amendment.

MR. ARGENIO: I don't see that here.

MR. MASTERSON: Mark's first comment that a separate application will be needed to be filed.

MS. DEWKETT: At the workshop session Mark had said that we could fill out one application form and check both lot line and site plan.

MR. ARGENIO: Here's what we need to do, I'm reading that different here, Miss Dewkett, so get with Mark or Myra and let's get that tied down, I'm reading two

separate applications, that's why I didn't even address it because it says here I'll read it to you, the overall project includes a lot line change with the New Windsor Business Park properties, a separate application should be submitted for the lot line change and separate project number assigned.

MS. DEWKETT: I thought when we were at the workshop session we said you could fill out one form.

MS. MASON: It's one form but it should have been filled out in two separate packages, it's the same form for each application but it should have been submitted as two separate projects, we can fix it, it's just paperwork.

MR. ARGENIO: I don't think it's a big deal, same owner, not a big issue, but we need to have these in order.

MR. GALLAGHER: No, you took the words I was going to say shouldn't we have to fix that first before we move on?

MR. VAN LEEUWEN: Yes.

MR. ARGENIO: Okay, I'm going to go through some procedural things. Accept a motion for lead agency.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for New Windsor Business Park. I'll have a roll call.

ROLL CALL

MR. SCHLESINGER AYE
MR. GALLAGHER AYE
MR. VAN LEEUWEN AYE
MR. ARGENIO AYE

MR. ARGENIO: Regarding item 5, I don't see any issue unless somebody disagrees with me, I'd like to act on item 5.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board classify this applicant as an unlisted action under SEQRA and declare a negative dec of environmental significance. If there's no further discussion from the board members, roll call.

ROLL CALL

MR. SCHLESINGER AYE
MR. GALLAGHER AYE
MR. VAN LEEUWEN AYE
MR. ARGENIO AYE

MR. ARGENIO: Feedback on item number 6?

MR. SCHLESINGER: I don't know how necessary it is, it's all the same.

MR. ARGENIO: Fifty percent of the letters are going to you. It's the public hearing, folks.

MR. GALLAGHER: No problem.

MR. VAN LEEUWEN: No problem, so moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board under its discretionary judgment waive the public hearing for the New Windsor Business Park site plan amendment. If there's no further discussion, roll call.

ROLL CALL

MR. SCHLESINGER AYE
MR. GALLAGHER AYE
MR. VAN LEEUWEN AYE
MR. ARGENIO AYE

MR. ARGENIO: This has to go to Orange County Planning because of your proximity to 300 and that's the law, sir, we have to follow it as you heard me say at least three other times in this meeting and I think this, we should notify the DOT unless somebody says no or disagrees with me.

MS. DEWKETT: Notify the DOT, it's an existing curb cut?

MR. ARGENIO: There may be no issue but we should give them heads up on this.

MR. ARGENIO: I don't think there's anything else here we can do, thank you for coming in and get with Mark and get the other thing squared away.

MS. DEWKETT: So at our next meeting, how long will Orange County have to respond?

MS. MASON: Thirty days, just call me tomorrow, I'll explain everything to you.

MR. ARGENIO: Thank you. Anything else, Neil?

MR. SCHLESINGER: No.

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MR. GALLAGHER: No.

MR. VAN LEEUWEN: No.

SEQRA_PROCEDURE

MR. ARGENIO: I have one thing that's going to be quick, I'm going to ask a direct question to Mr. Krieger and I'm looking for a one word answer if you can give me a one word answer, the procedure that we use to go through SEQRA and declare a negative dec is it in substantial conformance with the laws of the State of New York?

MR. KRIEGER: The one word answer is yes.

MR. ARGENIO: If you care to elaborate, I have a paragraph, go ahead.

MR. KRIEGER: I'm aware of the criticism, various criticisms that have been made with respect to the board's SEQRA review process, I had seen nothing in those criticisms that leads me to believe that review as customarily conducted by this planning board is inadequate.

MR. ARGENIO: That's what I'm asking you, Andy. Motion to adjourn?

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE

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MR. ARGENIO

AYE

Respectfully Submitted By:

Frances Roth
Stenographer